

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 14 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?
1 to 5 No

K C RAY CHAUDHURI

Versus

OIL AND NATURAL GAS COMMISSION

Appearance:

No one has appeared on behalf of the petitioner and party in person is also not present.

SERVED for Respondent No. 1, 4, 5, 6, 7, 8, 9

MR RAJNI H MEHTA for Respondent No. 3

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 13/01/98

ORAL JUDGEMENT

No one has appeared on behalf of the petitioner and party in person is also not present. Mr. Mehta submits that the party in person is not traceable. He has also referred to the Note dated 16.12.97 filed by him in the Registry wherein it has been stated that the petitioner was removed from service on 25.9.85. Oil &

Natural Gas Commission has preferred Civil Appeal No.37 of 1988 before the Supreme Court against the order of Allahabad High Court and as recorded in the Supreme Court order dated 11.10.88, the petitioner was deemed to have been compulsorily retired with effect from 11.10.88 and he has been paid all service benefits till that date. With this letter dated 16.12.97, duly signed by Mr. R.H. Mehta, Advocate appearing for the respondent No.3, a copy of the order dated 11.10.88 passed by the Supreme Court has also been enclosed. Mr. Mehta submits that this Special Civil Application has become infructuous and the petitioner is also not traceable. The matter has been listed in the Board and it is mentioned against the name of the petitioner that the party in person is appearing. The intimation was also sent to the petitioner by Post but the postal authority has returned the said postal cover with remarks "left" as has been mentioned in the final hearing board dated 12.1.98 pertaining to this Bench. Thus there is no reason to disbelieve the statement made by Mr. Mehta. This Special Civil Application is, therefore, dismissed as having become infructuous and the Rule is hereby discharged. No order as to costs.